

08 MAY 2006



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In re Application of	:	DECISION
PAUKOV	:	
Application No.: 10/523,109	:	
PCT No.: PCT/CA03/00927	:	
Int. Filing Date: 10 June 2003	:	
Priority Date: 10 June 2002	:	
Attorney Docket No.: 2282-173	:	
For: BUNG FOR A PAPER ROLL	:	

This decision is in response to applicant's submission filed via facsimile transmission in the United States Patent and Trademark Office (USPTO) on 03 March 2006, which has been treated as a renewed petition under 37 CFR 1.137(b).

BACKGROUND

On 10 June 2003, applicant filed international application PCT/CA03/00927, which designated the U.S. and claimed a priority date of 10 June 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 18 December 2003. The thirty-month period for paying the basic national fee in the United States expired at midnight on 10 December 2004.

On 03 February 2005, applicant filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee, the surcharge under 37 CFR 1.492(e) for providing the oath or declaration later than thirty months from the priority date, an assertion of small entity status, a declaration of the inventor, and a petition under 37 CFR 1.137(b) to revive the application.

On 16 August 2005, a decision was mailed dismissing applicant's petition under 37 CFR 1.137(b). Specifically, it was noted that the showing of record was not sufficient to establish to the satisfaction of the Commissioner that the delay was unintentional.

On 17 October 2005, applicant filed a petition/fee for a one-month extension of time.

On 16 November 2005, a request for reconsideration of the petition to revive under 37 CFR 1.137(b) was filed, which was accompanied by Exhibits A-C.

On 05 December 2005, a decision was mailed dismissing applicant's request for reconsideration of the petition to revive under 37 CFR 1.137(b). Specifically, it was noted that the showing was still not sufficient to establish to the satisfaction of the Commissioner that the delay was unintentional.

On 02 February 2006, applicant filed a petition/fee for a one-month extension of time along with a REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS.

On 03 March 2006, applicant filed via facsimile transmission the instant renewed petition under 37 CFR 1.137(b).

DISCUSSION

Renewed Petition Under 37 CFR 1.137(b)

A petition to revive the present application under 37 CFR 1.137(b) must include:

- (1) The required reply;
- (2) The petition fee;
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional.

As noted in the decision mailed 16 August 2005, items (1) and (2) have been satisfied. (The decision mailed 05 December 2005 incorrectly indicated that items (1) and (3) had been satisfied.)

As to item (3), the declaration of Matt Friesen is sufficient to establish to the satisfaction of the Commissioner that the delay was unintentional.

Declaration of Inventors

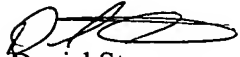
The declaration of the inventor filed 03 February 2005 is in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

The petition under 37 CFR 1.137(b) is **GRANTED** for the reasons set forth above.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.



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